

LWVAF, Report from the Capitol, Week 5

This week the General Assembly met for four days, completing Day 16. They will return on Monday for a five day week.

Tuesday, the House Appropriations Committee approved their version of the supplemental budget, and Wednesday, the full House approved it. It is now in the hands of the Senate. During the recess, the Senate had hearings on this budget as governor recommended, so they can hit the ground running when the House version arrives.

It is becoming very clear that the General Assembly is not happy with the recommended budgets. In short, it thinks the cuts are too deep. The January revenue numbers were up a bit, but the General Assembly cannot change the revenue forecast, and the governor has not yet indicated any plans to do so., To achieve the required balanced budget and preserve some of the programs it has worked hard to put into place, the General Assembly will need to trim the governor's recommendations including some of his priorities. The elimination of vacant positions was cut back, especially in the Department of Agriculture. Several cuts to operating expenses were restored. Many items were 'trued up', a term meaning that later information provided more realistic numbers. If you'd like to browse the budget, go to the www.house.ga.gov and click on the Budget Office. Pull down the FY21A tracking document. It is almost 100 pages long. All changes are marked.

More legislation is now moving as committees get cranked up. After Day 20, this report will not report new legislation as there is almost not enough time for it to get out of committee, onto a floor calendar and voted upon before CrossOver Day, Day 28, currently scheduled for March 12.

February 24 is the last day to register to vote in the March 24 Presidential Preferential Primary. The new voting equipment will be used statewide for the first time.

CA = constitutional amendment. Requires a 2/3s vote in each chamber and a majority vote in the next general election scheduled for November 2020.

In CHAMBERS

BUDGET

HB 792 Ralston – 7 **PASSED** House

FY20 Amended Budget. The FY20, known as the amended, supplemental, midyear, or 'little' budget, reflects the governor's directive of last fall to cut expenditures by 4%. The primary purpose is to adjust the educational budget to reflect the actual number of students who showed up on the doorstep in September so that the school districts will have funds to pay the teachers hired to serve those students, even as they receive that money much closer to the end than the beginning of the school year. The rest of the expenditures tend to be one-time items, such as vehicle or computer purchases, or to meet the needs of unexpected expenses arising from a weather or manmade emergency, like a hurricane or highway fire like that of Interstate 85 a couple of years ago. It almost never includes such things as payroll increases or program initiations, both of which would affect the following year's budget. This year, though, funds were recommended for getting the medical cannabis commission and the GBI Gang Task Force started and the salary for the appointed Insurance Commissioner who replaced the indicted elected one and is still drawing a salary. Some vehicles and computers were replaced and the governor's emergency fund was increased by \$7.5 million for unspecified future needs. The Law Department got \$2.5 million for costs associated with the water wars case going to the U.S. Supreme Court. Vacant positions were defunded.

CHILDREN

20.TEMPLATE

SB 335 Brass – 28 **PASSED** Senate

Foster kids, foster parents, and fictive kin will not have to pay any fee to state parks, historic sites or recreational areas. Juvenile court clerks shall collect data for each child placed in foster care who is in need of services, delinquent and accused of committing a Class A or B felony to be submitted to the Department of Juvenile Justice. Aggregate data can be used by DJJ and state agencies for efforts to improve things for children. The Department of Human Services may partner with child-placing agencies to assist in caseworker services, and may provide training to foster parents as needed.

GOVERNMENT – GENERAL

SB 134 Kirkpatrick – 32 **PASSED** Senate

The Georgia Commission on the Holocaust is transferred to the Board of Regents from the Department of Community Affairs.

GOVERNMENT – COURTS AND CRIMES

HR 1023 Welch – 110 **PASSED** House

CA to permit a GA citizen or corporation which suffers an injury to petition the judiciary for declaratory relief from acts of the state, any agency or any county, consolidated government, or city of the state, or any employee thereof or committed outside of their scope of authority. ***Schools seem to be excluded from this, probably because of special education issues which is federally controlled.***

GOVERNMENT – ENVIRONMENT

SB 356 Ligon – 3 **PASSED** Senate

Any city solid waste landfill permitted and operational on 7-1-97 may expand its operation to within two miles of a federally restricted military air space used for a bombing range. ***McIntosh County is the landfill, and it needs to expand.***

HEALTH

SB 345 Kirkpatrick – 32 **PASSED** Senate

Non-profit organizations preparing and providing food for consumption must adhere to the requirements for food safety. No food prepared in a private home can be served, but it can be prepared in kitchens of public buildings such as churches, schools, and arenas as long as public health procedures are followed. ***Must Ministries in Cobb County prepares sandwiches to feed children during the summer and school breaks. Many sandwiches were made in private homes. When inspected, they were cited. This bill establishes the standards not quite as strict as those for restaurants, but not home-prepared either. Schools, parent organizations, houses of worship, scouts, and feed-the-hungry organizations need to review this bill.***

In COMMITTEE

CHILDREN

SB 298 Untermann – 45 DO PASS in S.Regulated Industries & Utilities

Prohibits sale, barter, or distribution of smoking and vaping products to those under age 21, currently 18. Local boards of education shall include a unit against smoking or vaping within the drugs and alcohol unit for high school students. The course shall be ready by the fall of 2020. A person under age 21 may not purchase, attempt to purchase, or possess any tobacco or vaping products. No one can sell any vapor cartridge that is unlabeled as to content or packaged to attract minors without notifying the Department of Revenue.

ELECTIONS & ETHICS

HB 757 Fleming – 121 DO PASS in H.Government Affairs

Special Elections are to be changed as follows:

- Federal and state office candidate filing dates will be determined by the Secretary of State for at least 2 ½ days.
- Local candidate filing dates will be determined by the county election superintendent for at least 2 ½ days.
- Voter Registration deadline for a special election runoff shall be on the 5th Monday prior to the runoff date.

When a special election is required to fill a partisan office and the office is filled on a temporary basis by appointment and the special election is being held in November with the general election, and the vacancy occurs prior to qualifying for the general primary of that year, a special primary and a special election shall be held. Otherwise, only a special election is required. A special primary is also required for General Assembly vacancies except when a vacancy occurs during a session when only a special election is required, or a vacancy occurs after the second year of a term has been adjourned when the Governor will decide whether to fill the vacancy prior to the general election. If so, a special primary and special election are required. Effective 1-1-21. ***The Isakson senatorial vacancy is an example of the special primary for a partisan office but is not covered by this bill per the effective date. A General Assembly vacancy, except those occurring during a session, is now a two-step process, a primary then the election. These special primaries are another cost to the local counties. The state does not provide money for any elections.***

GOVERNMENT – COURTS AND CRIMES

HB 417 Powell – 32 DO PASS in H.Public Safety & Homeland Security

Trauma scene cleanup shall be done by practitioners who are registered, bonded and insured and have passed a background check. Excludes property owners cleaning up such a scene on their own property and any unpaid assistance they may receive.

GOVERNMENT – EMPLOYMENT

HB 487 Bonner – 72 DO PASS in H.Public Safety & Homeland Security

The Civil Air Patrol Auxiliary volunteers who are employees of a state agency may be granted up to 15 days leave in a year to render service. ***Currently, employees who are volunteers for the American Red Cross have this benefit.***

GOVERNMENT – ENVIRONMENT

SB 319 Ginn – 47 DO PASS in S.Natural Resources & Environment

Bans building of inhabitable structures in the flood path of a Category II dam without prior certification from a GA licensed engineer with 7 years experience related to the investigation, design and construction of dams.

REVENUE & TAXATION

HB 779 Blackmon – 146 DO PASS in H.Ways & Means subcommittee

Revises the distribution of the proceeds of the alternative ad valorem tax on motor vehicles among local governments. Counties will receive 23% (currently 28%), municipalities get 28% (currently 23%), and the remaining 49% goes to the county school district unless there is a city school district when the city gets the 49% and the independent school district getting 28%.

NEW LEGISLATION

CHILDREN

20.TEMPLATE

SB 368 Harbin – 16 S.Judiciary

Allows child-placing agencies to refuse to place a child in a foster care or adoptive home when placement violates certain religious or moral convictions of the agency. The child-placing agency cannot be discriminated against by state and local governments by revoking a license. The placement cannot be the basis for a civil action. ***Apparently, the child-placing agency may discriminate in its actions but when the shoe is on the other foot, discrimination is not allowed.***

SB 375 Mullis – 53 S.Regulated Industries & Utilities

A person may not be in possession of tobacco or vapor products if under the age of 21, and it is illegal to sell to such person these same products. A fine of \$25 per incident may be imposed on both the buyer and the seller. The person under 21 may also have community service. If the person does not do the community service within 12 weeks on the second conviction, the driver's license can be suspended for up to 45 days. These products may be seized by law enforcement officers. A person over 21 who possesses a vapor product within a school zone is guilty of a misdemeanor and a fine of \$25.

HB 911 Setzler – 35 H.Judiciary Non-Civil

A foster parent who engages in improper sexual contact with a child in their care is guilty of a felony if the child is under age 16; it is a misdemeanor of a high and aggravated nature if the child is age 16 or older. ***Governor's bill.***

HB 912 Reeves – 34 H.Juvenile Justice

Allows foster parents to leave a child with a babysitter for up to 3 days without getting approval from DFCS, currently 2 days. ***Governor's bill.***

HB 913 Reeves – 34 H.Juvenile Justice

Potential adoptive parent must be at least age 21, currently age 25. ***Governor's bill.***

HB 934 Reeves – 34 H.Ways & Means

The income tax credit for adoption of a foster child under age 18 shall be \$6000/year per child for 5 years or until the child turns 18, then \$2000 per year until the child ages out. ***One estimate is that this will cost the state \$12.8 million over 5 years.***

EDUCATION – PREK - 12

SB 386 Unterman – 45 S.Education & Youth

Section 504 students are eligible for the Special Needs Scholarship. ***This may triple the number of students taking this voucher. The League of Women Voters opposes vouchers.***

SB 387 Jordan – 6 S.Education & Youth

Food prepared by students in any course on food preparation but not eaten shall be made available to students dealing with hunger or food insecurity issues.

SB 398 Harrell – 40 S.Education & Youth

No homework that will be graded shall be assigned to a K-2 student. Exceptions are for students in special education, 504, English Language learning, or early intervention if the LBOE decides.

SB 400 Harrell – 40 S.Higher Education

Requires the Office of Student Achievement to establish objectives and participation targets for dual credit and Move On When Ready courses. Participation rates among student groups, rates of college enrollment and graduation, correlation between one or more dual credit courses and length of time to complete a college degree program, and factors in dropped, withdrawn, or failed courses are to be included.

20.TEMPLATE

HB 843 Douglas - 78 H.Education

Recess, a 30-minute break from academic activity, shall be provided daily for K-5 in every elementary school, and the local board of education shall develop policy for a scheduled break for grades 6-8. ***A similar bill from the same author was passed and vetoed last year.***

HB 845 Glanton – 75 H.Education

Special Education teachers are to get service credit like math and science teachers, i.e. start at the 6 year level on the salary scale unless they are already at that step, in such case, they'll get two years service credit per year for 5 years.

HB 898 Wilensky – 79 H.Education

Counties and cities are to consider the effect of a proposed zoning on local schools and the potential of overcrowding therefrom.

HB 906 Smith – 41 H.Education

Local school systems shall post on its websites all relevant dates and deadlines for enrollment. ***This is for the use of students who wish to enroll in a school that does not serve his or her residence.***

HB 939 Carson – 46 H.Ways & Means

The \$100 million cap for the income tax credit for qualified education credits (for private schools) is permanent. ***Currently, it reduces to \$50 million as of 1-1-29. This is a 'backdoor' voucher, which the League opposes.***

HR 1095 Greene – 151 H.Heath & Human Services

Urges the Department of Education and the Department of Public Health to encourage all schools to participate in a school-located vaccination program.

EDUCATION – POSTSECONDARY

HB 896 Trammell – 132 H.Higher Education and

HB 920 Clark – 98 H.Higher Education

A student shall be eligible for in-state tuition if s/he has attended a Georgia high school for three or more years, graduated with a high school diploma [both] or GED [HB 896], and is enrolled in an accredited postsecondary GA institution. An immigrant must file an application to legalize the student's immigration status or promise to do so whenever eligible. Eligible for 110% of the required credit hours for the degree or certificate program for which student is enrolled [HB 920].

ELECTIONS & ETHICS

HB 902 Dryer – 59 H.Government Affairs

At the time of candidate filing, the candidate will swear s/he has not colluded with a foreign state government or any citizen thereof or requested assistance from any of them to influence any US election outcome.

GOVERNMENT – GENERAL

HB 899 Williams – 145 H.Energy, Utilities & Telecommunications

Increases the penalty for unwanted and illegal phone solicitation to \$5000 per violation, currently \$2000 per.

SB 377 Jones – 25 S. Insurance & Labor

Elevators, escalators, manlifts and moving walks are to be inspected once per 12 months, currently every 6 months.

SB 382 Black – 8 S.Government Oversight

20.TEMPLATE

May 1 is designated as Pure Breed Dog Day in GA, a holiday.

SB 396 Walker - 20 S.Agriculture & Community Affairs

The pecan is designated the state official nut. ***GA is the top pecan growing state with over 170,000 acres planted, and produced 37% of all pecans in the US.***

GOVERNMENT – COUNTIES AND CITIES

HB 937 Smith – 133 H.Agriculture & Community Affairs

Local governments cannot ban or limit the use of state approved building materials in single-family dwellings. Exceptions for historic home and manufactured homes.

GOVERNMENT – COURTS AND CRIMES

SB 393 Strickland – 17 S.Public Safety

Campus police and security personnel can make felony arrests off campus but within 880 yards of the school property, currently 500 yards. The GBI may provide qualifying personnel to serve as special assistant attorneys generals, special assistant district attorneys, special assist solicitors general, or special assistant US attorneys when requested by the agency or governor.

SB 394 Albers – 56 S.Public Safety and

HB 941 Efration – 104 H.Judiciary Non-Civil

The Attorney General shall have assigned to the Law Department peace officers for kidnapping, false imprisonment and related offenses such as trafficking of person for labor or sex servitude. The peace officers shall be fully empowered.

HB 915 Singleton – 71 H.Judiciary

The state and all its political subdivision shall become arms of the federal government in enforcing immigration laws.

HB 916 Beasley-Teague – 65 H.Judiciary Non-Civil

Repeals the death penalty and all persons convicted of the death penalty at the time the bill is in effect shall have sentences of life without parole.

HR 1093 Parsons – 44 H.Energy, Utilities & Telecommunications

Creates the 12-member Joint Study Committee on Cybersecurity. The Senate and House each appoint three members and two citizens, one of which is an expert on the internet of things and the other an active or retired professor of internet technology. Additionally, the directors of GA Technology Authority and GEMA will serve. Cyber crime is constantly evolving. There has been a 365% increase in invasions on cities in the last 12 months. Average cost of a public sector breach is \$2.3 million. Report due 12-1-20.

GOVERNMENT – EMPLOYMENT

HB 903 Clark – 147 H.Government Affairs

Professional licensing boards will issue an expedited license by endorsement to a military spouse in GA holding a professional license in another state when requirements thereof have a majority of requirements to be licensed as GA does and who is in good standing.

GOVERNMENT – ENVIRONMENT

HB 901 Cheokas – 138 H.Natural Resources & Environment

20.TEMPLATE

The Georgia Environmental Finance Authority is authorized to make loans to local governments and nongovernmental entities for projects which permanently protect land and water, that are in their undeveloped natural state or are developed for water quality, flood protection, wetland protection, reducing erosion, protection of riparian buffers, prime agriculture and forestry lands, cultural sites, heritage corridors, and archeological and historical resources, scenic protections, recreational areas and connections between such areas.

HB 927 Parsons – 44 H.Natural Resources & Environment

Requires the reporting to the Environmental Protection Division of any ethylene oxide unpermitted release in writing within 24 hours of discovery.

HB 938 Allen – 40 H.Natural Resources & Environment

Requires continuous monitoring of direct emissions of ethylene oxide. Plans for monitoring shall be submitted to the Environmental Protection Division by 1-1-21 which is to include quarterly sampling the results of which also are to be reported to the county commission or city council.

GUNS

SB 378 Jackson – 2 S.Judiciary

No person, other than a dealer, may manufacture a firearm in GA unless licensed by the GBI. Such licensed person shall also meet requirements for a weapons carry license. A fee may be charged for the license.

HB 917 Burchett – 176 H.Public Safety & Homeland Security

Notices of renewal are required for a weapons carry license from 30 to 90 days prior to expiration. It can be sent either electronically or by snail mail.

HEALTH

SB 376 Jordan – 6 S. Insurance & Labor

The price of insulin under a health care insurance plan is limited to \$100/month. Effective 1-1-21.

SB 391 Kirkpatrick – 32 S.Health & Human Services

When a state of emergency has been declared or a hurricane warning issued, the Commissioner of Public Health may waive the time restrictions on prescription refills to enable patients to refill a 30-day supply in advance, if refills remain.

HR 1162 Allen – 40 H.Special Rules

Urges adult changing stations in gender neutral restrooms in commercial public facilities with an occupant load of 1000 and over (for any new building or renovation permit), facilities under the Safety Fire Commission or the Board of Regents.

REVENUE & TAXATION

SB 388 Kennedy – 18 S.Judiciary

Persons who knowingly and willfully aid, assist, counsel, or advise in the preparation or presentation of any false or fraudulent income tax return or document, shall have committed a felony with a fine up to \$10,000 and/or 5 years in prison, currently a misdemeanor with a fine up to \$1,000 and six months in jail.

TRANSPORTATION & DRIVING

SB 389 Gooch – 51 S.Science & Technology and

HB 936 Corbett – 174 H.Motor Vehicles

20.TEMPLATE

Driver's licenses and identification cards issued by the Department of Driver Services may be issued in an electronic format as well as a physical one. If on a wireless device, viewing the driver's license or ID card is not a consent to a law enforcement officer to search the device.

HB 895 Setzler – 35 H.Motor Vehicles

No points against a driver's license and no fine greater than \$100 may be imposed for ignoring a traffic control device unless traveling more than 5 miles per hour or if there is a direct threat of harm to persons or property.

HB 903 Dollar – 45 H.Public Safety & Homeland Security

Driving a vehicle without a license can result in a citation to the driver or the owner, if present at the time of issuance.

LOCAL – FULTON and its CITIES

SB 380 Albers - 56 S.State & Local Government

A property tax exemption for Fulton County Schools for both operations and bonded indebtedness for age 65 and over. If home owned for 30 years but less than 40 years, then 50% of the assessed value or \$1000, whichever is less. If home owned for 40 years but less than 50 years, then 70% of assessed value or \$2000, whichever is less. If home owned for 50 years or longer, then 90% of assessed value or \$3000 whichever is less. Local referendum required. Effective 1-1-21.

HB 921 Bruce – 61 H.Local Delegation

Amends the city charter of the City of South Fulton to provide for a city attorney.

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